

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

**UNITED STATES OF AMERICA
ex rel. KELLI CAREY,
Plaintiff,**

v.

**LAWANA BROCK, et al.,
Defendants.**

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**No. 3:04-CV-131
Phillips/Shirley**

ORDER OF DISMISSAL

Upon review of this file, the court notes that this action was filed under seal on March 19, 2004. The United States declined, pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(2)(A) to intervene in this action, and the court entered an order on July 26, 2005 unsealing the complaint and directing plaintiff to serve the complaint upon defendants. The file contains no evidence that plaintiff has achieved service of process on any defendant within the time specified by Fed.R.Civ.P. 4(m). The court entered a show cause order on September 28, 2005, ordering plaintiff to provide proof of service within 20 days or otherwise show cause why this case should not be dismissed. Plaintiff was advised that failure to comply with the court's order could result in dismissal of this action. Plaintiff has not effected service on any

defendant and further, has not responded to the show cause order. Accordingly, as plaintiff has shown no desire to prosecute this action, it is hereby **DISMISSED**.

ENTER:

s/ Thomas W. Phillips
United States District Judge